**IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 6854 OF 2004**

Sadanand Mahadeo Bhoir ... Petitioner

Vs.

The State of Maharashtra and Ors. ... Respondents

Mr. S.M. Oak i/by Ambar Joshi for Petitioner.

Mr. A.P. Vanarse, A.G.P. for R. Nos. 1 and 2.

Mr. R.S. Kate for R. No. 3.

**CORAM : F.I. REBELLO &**
**S.P. KUKDAY,JJ.**
**DATED : MARCH 02, 2005**

**P.C.**

. It is the case of the Petitioner that under the Development plan, the land is reserved for the road. It is his grievance that the Respondent NO. 2 and 3 are entering on the lands without authority of law. Considering the limited nature of the controversy, the following order :

(1) In the event, proceedings under Land Acquisition have commenced and award is passed, then petition to stand dismissed.

(2) If no steps have been taken to acquire the land, Respondents if interested in acquisition, to take steps to acquire the land considering provisions of Section 126 of the M.R.T.P. Act.

(3) Till such time, as the land does not vest in the respondent or as not taken possession, respondent not to interfere with the petitioner's land.

(4) Petition disposed of accordingly.

**(F.I. REBELLO,J.)**

**(S.P. KUKDAY,J.)**